

Notice of Allowability

Application No.

09/693,370

Applicant(s)

BILGER, BRENT

Examiner

Thomas K Pham

Art Unit

2121

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 10/25/2004.
2. ☒ The allowed claim(s) is/are 6-7, 9-17 and 20-23.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☒ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☒ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

Response to Amendment

Drawings

1. The drawings filed on 10/19/2000 are acceptable subject to correction of the informalities indicated on the attached "Notice of Draftsperson's Patent Drawing Review," PTO-948. In order to avoid abandonment of this application, correction is required in reply to the Office action. The correction will not be held in abeyance.

Examiner's Amendment

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Alan A. Limbach on December 9, 2004.

The application has been amended as follows:

- Cancelled claim 8
- Amended claim 6 as follow:

6. (currently amended) A home automation system for a home having a plurality of rooms separated by doorways, wherein each room has at least one of the doorways associated therewith, the system comprising:

a plurality of controlled objects for placement in rooms;

a plurality of room motion sensors for placement in the rooms to detect occupancy by a

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person therein; and

a controller for controlling the controlled objects in response to detected occupancy by the plurality of room motion sensors;

a plurality of entry/exit sensors for placement in doorways to detect movement of a person therethrough, wherein the sensitivity is adjusted in response to detected movement by at least one of the entry/exit sensors;

wherein at least one of the room motion sensors includes a sensor for detecting motion in one of the rooms, the sensor having a sensitivity to the motion for triggering the room occupancy sensor, and wherein the sensitivity is adjustable in response to signals from the controller.

Reasons for Allowance

3. Claims 6-7, 9-17 and 20-23 are allowed.

4. The following is an examiner's statement of reasons for allowance:

While Humphries (5,621,662) discloses a home automation system that can perform diagnostic measures to detect when a node has been disconnected from the network. The home automation system comprises a controller for centralized controlling of the sub-systems such as security, lighting and environmental control.

Myron (5,640,143) teaches controlling an electrical load based upon occupancy of a space, detection of environmental conditions within the space including automatic adjustment of sensitivity in processing the occupancy signal as a function of the space being sensed or as a function of the history of occupancy signal based upon a direction of detected motion.

Neither of these references taken either alone or in combination discloses a home automation system for a home having a plurality of rooms separated by doorways having all the claimed features of applicant's instant invention, specifically including: adjusting a sensor trigger sensitivity of at least one of the room motion sensors in response to the home parameter determined by the status sensor; wherein adjusting the sensitivity of a motion detecting sensor in response to other sensors (i.e. entry/exit sensors, status sensors and spot sensors). In addition, the home automation also include a filter mechanism associated with the room motion sensor for triggering the room motion sensor only in response to repeated motion detection that exceed a predetermined number, that are each separated apart by a predetermined separation time period, and that all occur within a predetermined group time period. Also, there is no motivation to combine the Humphries reference with the Myron reference to meet these limitations. It is for these reasons that applicant's invention defines over the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner *Thomas Pham*; whose telephone number is (571) 272-3689, Monday to Thursday from 6:30 AM - 5:00 PM EST or contact Supervisor *Mr. Anthony Knight* at (571) 272-3687.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thomas Pham
Patent Examiner

TP

December 9, 2004


Anthony Knight
Supervisory Patent Examiner
Group 3600